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January 20, 2022

MEMO ENDORSED

Via ECF

Hon. Alison J. Nathan, U.S.D.J.
United States District Court, SDNY
40 Foley Square, Room 2102
New York, NY 10007

Re: *Tanya Gamble v. Fieldston Lodge Nursing and Rehabilitation Center, et al.*
Case No.: 20-cv-10388 (LTS)

Dear Judge Nathan,

This office represents the Plaintiff, Tanya Gamble, in the above-referenced action. We submit this letter on behalf of all parties pursuant to Your Honor's Individual Rule 1(D) respectfully requesting an extension of time to complete discovery. The parties have already completed paper discovery and Plaintiff's deposition, which was held on September 16, 2021.

Defendants' depositions were initially scheduled to take place on October 7 and October 8, 2021. However, due Defendants' counsel's being involved in an accident and taking a disability leave of absence, Defendants' depositions were postponed on consent of all parties. Defendants' counsel returned to work the week of November 29, 2021. However, due to unavailability of counsel and the end-of-year holiday schedule, we were unable to conduct Defendants' depositions.

Furthermore, Defendants' motion to dismiss that was initially filed on July 29, 2021, was fully submitted on December 3, 2021, and is currently pending before the Court.

Currently, the end of discovery date is January 28, 2022.

Accordingly, in light of the pending motion to dismiss, the parties request a stay of discovery until a decision on Defendants' motion to dismiss is made because the parties believe that the outcome of the motion may directly impact the scope of discovery. This is the parties' third request for an extension of time to complete discovery.

With respect to the in-person case management conference scheduled for February 11, 2022, the parties respectfully request leave to appear virtually due to a joint concern of the ongoing Covid-19 cases as a result of the new variants.

We appreciate the Court's time and attention to this matter.

Respectfully submitted,

/s/ Rudy A. Dermesropian

Rudy A. Dermesropian
Managing Member

cc: Justin V. Buscher, Esq. (via E-Mail & ECF)

The parties are reminded that this action has been reassigned to the undersigned. The application is granted to the extent that the deadline for the completion of discovery is extended from January 28, 2022, to March 31, 2022. The February 11, 2022, case management conference is adjourned sine die. The Court will resolve the pending motion for judgment on the pleadings in the ordinary course. DE#31 resolved.

SO ORDERED.

Dated: January 20, 2022

/s/ Laura Taylor Swain, Chief U.S.D.J.